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Attorneys for Defendant
NIC Insurance Company; Navigators Insurance Company

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RICHARD SCHMITT, doing business as,
SCHMITT CONSTRUCTION, a California
partnership,

Plaintiff,

v.

NIC INSURANCE COMPANY, a New York
corporation, NAVIGATORS INSURANCE
COMPANY, a New York corporation, and Does
1 to 20,

Defendant.

CASE NO.: 3:06cv05837-MHP

**STIPULATION TO DISMISS ENTIRE
ACTION WITH PREJUDICE**

Complaint Filed: May 25, 2006

THE PARTIES TO THIS ACTION HEREBY STIPULATE AS FOLLOWS:


Plaintiff Richard Schmitt dba Schmitt Construction ("Plaintiff") and Defendant NIC Insurance Company have entered into a Compromise Settlement Agreement and Release resolving this action as to all parties, including Defendant Navigators Insurance Company. Pursuant to the terms of the Compromise Settlement Agreement and Release, and in accordance with Federal Rule of Civil Procedure 41(a)(1), Plaintiff and Defendants, by and through their respective counsel of record, hereby stipulate:

1. The above-entitled action shall be dismissed, with prejudice, as against all Defendants;
2. The parties shall bear their own costs and fees, except as provided otherwise in the Compromise Settlement Agreement and Release;

3. The parties executing this Stipulation are the only parties who have appeared in this action.

Dated: 9-9-08

THE COSTA LAW FIRM

By: 

Daniel P. Costa
Attorneys for Plaintiff
Richard Schmitt dba Schmitt Construction

Dated: August 25, 2008

SELVIN WRAITH HALMAN LLP

By: 

Susan F. Halman
Attorneys for Defendant
NIC Insurance Company

Dated: August 25, 2008

SELVIN WRAITH HALMAN LLP

By: 

Susan F. Halman
Attorneys for Defendant
Navigators Insurance Company

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